FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1119 OF 2006
IN
SUMMONS FOR JUDGMENT NO.647/2004
IN
SUMMARY SUIT NO.1399 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr. V.P.Shastri i/by S.B.Gole for the Applicant.

Mr. Manish Kenia for the Plaintiff.

Mr. Jayant H. for the Defendant.

CORAM : R.S. MOHITE, J.
DATED : 9TH OCTOBER, 2006.

P.C.

1. This chamber summons is for raising attachment. The applicant claims property which belongs to the company is wrongly been attached. He relies upon Deed of Conveyance. It is admitted by the Advocate for the applicant that the signature on the said conveyance is that of the defendant. It is sought to be contended that the defendant is Director of the applicant company. It is further admitted that there is no

such averment made in the affidavit in support of the chamber summons. It is submitted that this vital fact is concealed by the applicant. Hence, chamber summons is dismissed. All the facts relating to the title will be decided in the execution proceeding, or may be established independently by applicant.

(R. S. MOHITE, J.)